

REMARKS

Status Summary

Claims 1-11 are pending in the present application. Claims 1-10 have been allowed, and claim 11 presently stands rejected. Claim 11 is canceled, and claim 3 is amended by the present amendment. No new matter has been introduced by the present amendment. Reconsideration of the application as amended and based on the remarks set forth hereinbelow is respectfully requested.

Claim Objection

Claim 3 is objected to by the Examiner under 37 C.F.R. 1.75(c) as being of improper dependent form. In particular, the Examiner states that claim 3 is stated to be dependent on a later claim 5, which is after claim 3. Claim 3 has been amended to depend upon independent claim 1 rather than later claim 5. It is believed that this amendment addresses the Examiner's objection, and thus it is respectfully requested that the objection of claim 3 be withdrawn and the claim allowed at this time.

Specification

The Examiner has stated that the specification does not follow the guidelines for using titles. Specifically, the Examiner indicates that the titles for the sections "Background of Invention", "Summary of Invention", "Brief Description of Drawings", "Detailed Description of Invention", and "Claims" need to be provided.

It is noted, however, that appropriate titles were added to the specification by the preliminary amendment that was filed on January 23, 2004, with the filing of the present application. In particular, the section title "Technical Field" was added at page 1, line 5; "Background Art" was added at page 1, line 8; "Summary of the Invention" was added at page 4, line 15; "Brief Description of the Drawings" was added at page 8, line 16; "Detailed Description of the Invention" was added at page 9, line 16; and "Claims" was added at page 18, line 1. Accordingly, it is believed that the specification follows the guidelines for using titles.

Claim Rejection - 35 U.S.C. § 102

Claim 11 stands rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,185,217 to Ando et al. Claim 11 has been cancelled by the present amendment. Accordingly, it is respectfully submitted that the rejection of claim 11 under 35 U.S.C. § 102(b) is moot and should be withdrawn.

CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully

Serial No.: 10/763,527

requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

DEPOSIT ACCOUNT

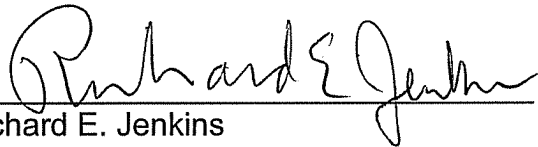
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: September 11, 2008

By: _____


Richard E. Jenkins
Registration No. 28,428

REJ/BJA/gwc

1406/180

Customer No: 25297